

**United States Department of Justice****United States Attorney's Office
Central District of California**

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October 1, 2024

VIA E-MAIL

Laboni A. Hoq
Hoq Law, APC
P.O. Box 753
South Pasadena, CA 91030

Re: ACLU of SoCal v. ICE, et al.
C.D.CA Case No. 2:22-cv-04760-SHK

Dear Ms. Hoq:

This correspondence provides ICE's response to Plaintiff's September 10, 2024 letter and its proposals to resolve Plaintiff's outstanding concerns.

Parts 1-3

ICE will agree to conduct a search of the New Orleans Field Office Director's emails for the time period of June 30, 2015 through November 30, 2015. ICE will further agree to use the following search terms:

- "Headquarters Removal and International Operations" or "HQRIO" and "Gulema."
- "Post Order Custody Review" or "POCR" and "Gulema."
- "ICE Health Service Corps," "IHSC," and "Gulema."

ICE will also search for emails between the New Orleans Field Office Director and HQ ERO Domestic Operations between June 30, 2015, and March 30, 2016.

In exchange for the above, please confirm that Plaintiff agrees to waive production of the remaining approximately 25,000 pages of records related to Mr. Gulema dated before October 1, 2015, regardless of whether the searches above produce responsive records. ICE will then conduct the searches and provide hit counts within 60 days.

If the above is agreeable, ICE will circulate a Joint Stipulation and Proposed Order.

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Part 4

ICE has not yet tasked ORAP to conduct a search using the additional search terms of “death,” “life support,” “critical condition,” “intensive care,” “ICU,” and “hospice,” but it will do so for the time period January 1, 2016 to the present. ICE will also agree to search for Directive 11003.4, although ICE maintains that it is not responsive to Plaintiff’s FOIA request and has been superseded by Directive 11003.5. In exchange for these searches, please confirm that Plaintiff has no further issues with respect to Part 4 and thus will agree not to challenge the searches conducted for Part 4 in this litigation.

Summary Judgment Proposal

ICE will not agree to a briefing schedule at this juncture given that it has agreed to conduct additional searches for Part 4. Once those searches are performed and any responsive records processed and produced, ICE is amenable to stipulating to a briefing schedule. However, it proposes that the parties proceed in the same manner as they did with respect to DHS OIG. Thus, the briefing schedule would be as follows:

- ICE will produce a search summary to Plaintiff, which will include dates of searches, all search terms used, custodians and file locations searched, and the names of pages produced by ICE
- ICE will then provide a *Vaughn* Index
- Plaintiff will file its Motion for Summary Judgment against ICE with respect to Parts 4-9
- ICE will file its Cross-Motion for Summary Judgment
- Plaintiff will file its Opposition and Reply Brief
- ICE will file its Reply Brief.

Respectfully,

E. MARTIN ESTRADA
United States Attorney

/s/ Joseph W. Tursi

JOSEPH W. TURSI
Assistant United States Attorney

cc: Ms. Eunice Cho (by email)
Ms. Eva Bitran (by email)
Mr. Kyle Virgien (by email)